

Procedural Violations, Inappropriate IEP Meeting Comments and E-mail Problems, Oh My!

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Procedural Issues – Timelines

- Need to issue PTE within 10 days of Parents' request or when need for ER is identified.
- Need to complete ER within 60 days of signed PTE, not including summer break.
- Unless the requirement is waived, must wait at least ten (10) days to hold an IEP meeting to offer an IEP based upon the results of the evaluation.
- If waived, need to document this and should be discussing this prior to the meeting.
- LEA then has ten (10) days from the completion of the IEP to implement the IEP.
- Must have IEP in place on first day of school.

Procedural Issues – Re-Evaluations

- Must be once every three (3) years, except for students who have intellectual disability, for which it is every two (2) years.
- Need to document if waiving this.
- RR must be provided to Parents ten (10) days before IEP meeting, unless waived.
- Can do RR sooner, if it appears needed.

IEE Requests

- Seeing an increase in such requests.
- The I.U. or LEA is required to provide a response to the same “without unnecessary delay.”
- Need to pass these requests along to your supervisor as quickly as possible so we can provide a timely response.
- Failure to respond may require us to grant it.

E-mail Issues

- Need to be careful what is written in e-mails.
- E-mails to Parent and internal e-mails often need to be produced in Due Process Hearings.
- Assume e-mails will be seen by Parents and a Hearing Officer when writing them.

E-mail Problems

- Tends to be conversational, but creates a record.
- Tone and words can be taken out of context and misconstrued.
- We tend to reply right away.
- Reply all is dangerous.

Email Oopsies

- A Parent has requested a copy of the IEP draft to be sent by email one week before the IEP team meeting.
- The case manager sends an email to Parent that says “The attached IEP is a draft for your review before the upcoming meeting on Monday September 10.”
- The case manager fails to cc anyone else on the team, and fails to attach the IEP.
- When Parent requests the attachment, he gets an automated response: “I will be away from the office until Monday September 10th. If you have an immediate need, please call the office.”

Email Mistake Two

- You have prepared an email to your colleague regarding your concern that Alex, Marc, and Charlie are all going to be in the same class. These kids all made that teacher nuts last year.
- The colleague's name was Julia Roberts. You have typed JRo, and the "To:" section populated with JRogers@notaschool.com, who is a Parent.
- You have now provided info to Parents about other Students by accident.

Another Email Blunder

- The School's position is that Student has made progress in reading during *both* SRA Reading *and* speech and language pull-out.
- Speech therapist emails Parent to say that an IEP meeting will be moved from Monday to Tuesday because of a conflict.
- Parent emails from her cell phone that Monday is not good, but she can make it on Tuesday.
- Speech therapist forwards the email to your supervisor. It reads: "Guess Mom can't read either. The meeting will be ok for Tuesday."
- The IEP meeting falls apart and Parent files for due process and requests e-mails.

Email Tips

- Do not send before you are ready:
 - Enter the email address of the recipient only when you are ready to send the email.
 - This will reduce the risk of sending it to the wrong person or sending a half-written message.
 - Re-read e-mails before you send them out.

Email Tips

- Don't forget the attachment:
 - If your email is to include an attachment, then attach it to the email before you write the whole thing out.
 - If including multiple people on the e-mail, make sure it is okay for them to all get it.
 - Make sure if sending things to Parents that we are sure it is the correct e-mail address.

Email Tips

- Do not reply without reviewing all of the messages:
 - Review all of the threads to make sure that you do not reply to questions that have already been answered.
 - If you have been away for a period of time, review all of the emails, making a “to do” list as you go, before you reply to any.
 - Want to make sure you understand where we are.

Email Tips

- Reply all:
 - Do not leave people off or add people if they were on the original thread or if they will be included later on.
 - Do not reply all to emails until you have checked to make sure that you want the information that you are writing to go to everyone.
 - You might want to start a new email chain.

Email Tips

- Do not reply too quickly:
 - Calm down first if you are annoyed or upset so that you don't say something that you do not mean.
 - Compose an email slowly and reread it so that you don't have careless errors. The recipient is likely not the only person to ever read this email.
 - Do not feel the need to reply based upon timeframe created by Parents.
 - Make sure to check on facts before responding.

However, some e-mails to require quick action

- IEE requests
- Requests for records
- Requests for change in placement
- Private placement requests
- Problems noted with current program
- New needs identified



Email Tips

- Greet your reader:
 - Start an email with a greeting and the recipient's names.
 - This shows respect, but it also lets the cc'd recipients know who was the intended audience.
 - Also puts people on notice if it got sent to the wrong person.

Email Tips

- Use bcc sparingly:
 - It seems like an easy way of giving someone an FYI, but it increases your ability to control who sees ongoing communication.
 - Consider immediately going to your sent items and forwarding the email with an FYI instead.
 - If you bcc and that person hits reply all, that can raise issues.

Social Media & Blogs

- Need to be careful what you say about work.
- If information could lead one to identify you are talking about a student and who – that could be a problem.

IEP Meeting Issues

- Keep as factual as possible.
- Allow the parents time to speak and say what they need to.
- Time Limits – Be upfront with them and try to prioritize.
- If Parents are reporting different things at home – don't argue about it, but explain.

IEP Meeting Issues

- Be careful about admitting mistakes.
- Be careful about agree with a Parent just to get them to move on.
- Be careful about it appearing that you are forcing a Parent to sign forms.
- Make sure to spend the time to answer Parents' questions.



IEP Issues

- Need to make sure that present education levels are that – present.
- If we are including old information need to be clear when it is from

Contact Information

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